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SEP 02 2005

**To:**

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<b>Mail Stop Amendment Commissioner for Patents U.S. Patent and Trademark Office</b>	<b>571-273-8300</b>	

**FROM:** Rick Shoop

**DATE:** September 2, 2005

Number of pages with cover page:	6	Originals Will Not Follow
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Preparer of this slip has confirmed that facsimile number given is correct: 10852/say4

**Comments:**

<b>Attorney Docket No.: 559022001200</b> <b>Group Art Unit: 3739</b> <b>Examiner: Not Yet Assigned</b> <b>Inventors: Norman BOOTH et al.</b> <b>Int'l Filing Date: October 28, 2003</b> <b>Serial No.: 10/532,391</b> <b>Title: SYSTEM FOR, AND METHOD OF, HEATING A BIOLOGICAL SITE IN A PATIENT'S BODY</b>
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Papers enclosed:

- 1. Transmittal (1 page)
- 2. Supplemental Information Disclosure Statement (3 pages)
- 3. Form PTO/SB/08a/b (1 page)

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PA-1007231

PTO/SB/21 (09-04)

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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Application Number	10/532,391		
Filing Date	October 28, 2003 (Int'l)		
First Named Inventor	Norman BOOTH		
Art Unit	3739		
Examiner Name	Not Yet Assigned		
Total Number of Pages in This Submission	5	Attorney Docket Number	559022001200

## ENCLOSURES (Check all that apply)

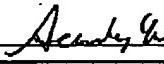
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (Supplemental – 3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08a/b (1 page) 2. Fax Cover Sheet
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)		
Signature			
Printed name	Rick Shoop		
Date	September 2, 2005	Reg. No.	45,763

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Signature:  (Sandy Yi)

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Dated: September 2, 2005 Signature: Sandy Yi  
 (Sandy Yi)

Patent  
 Docket No. 559022001200

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
 Norman BOOTH et al.  
 Serial No.: 10/532,391  
 International Filing Date: October 28, 2003  
 For: SYSTEM FOR, AND METHOD OF,  
 HEATING A BIOLOGICAL SITE IN A  
 PATIENT'S BODY

Examiner: Not Yet Assigned  
 Group Art Unit: 3739

**SUPPLEMENTAL INFORMATION DISCLOSURE  
 STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

Application Serial No. 10/532,391

Patent  
Docket No. 559022001200

- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of \_\_\_ is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_\_ is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other

Application Serial No. 10/532,391

Patent  
Docket No. 559022001200

fees due in connection with the filing of this document to Deposit Account No. 03-1952  
referencing 559022001200.

Dated: September 2 , 2005

Respectfully submitted,

By   
Rick Shoop  
Registration No.: 45,763  
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Palo Alto, California 94304-1018  
(650) 813-5804

ALTERNATIVE TO PTO/SB/08a/b (07-05)

Substitute for form 1449/PTO				Complete If Known	
				Application Number	10/532,391
				Filing Date	October 28, 2003 (Int'l)
				First Named Inventor	Norman BOOTH
				Art Unit	3739
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	559022001200

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (If Known)	MM-DD-YYYY		
1.	US-2003/0199868-A1	10-23-2003	Desai et al.		
2.	US-5,383,917-A	01-24-1995	Desai et al.		
3.	US-5,620,481-A	04-15-1997	Desai et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.*	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number-Kind Code <sup>2</sup> (If Known)	MM-DD-YYYY		
					T <sup>4</sup>

\*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). <sup>1</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>2</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>5</sup>Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No.*	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>4</sup>

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
pa-1004286	